MT LEGISLATIVE HISTORY

Chapter 237 19 73

Bill H 491 S _____ Original bill & hist. ___C

H. Committee on Const, Elect, Fed. Rel. S. Committee on Const, Elect. & Fed. Rel.

Hearing Date(s)	1/24	___C	Hearing Date(s)	2/13	___C
	2/7	___C		2/21	___C
	_____	___C		_____	___C
	_____	___C		_____	___C
Date Out	2/7	___C		2/21	___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

The motion to amend the bill was seconded by Senator Groff. Groff then moved that HB 416 BE CONCURRED IN AS AMENDED. Northey seconded the motion, and it was carried unamiously.

HB 268

Mr. Murphy also sponsored this bill which he encouraged the members to support. Murphy explained that the purpose of this bill was to eliminate campaign expenditures to $1500. He thought that this amount was sufficient and would also make it possible for more people to run for an election. He also thought the campaign would be more fair.

After much discussion on this particular bill, Senator Mathers, seconded by Northey motioned that the bill BE NOT CONCURRED IN. Everyone was in favor of this motion except Senator McDonald.

HB 491

This bill was explained by Evan Barrett. Shea voiced his reasons for opposing this bill. After more discussion among the members, Rosell moved that an amendment be made as follows: Amend Section 1, Subsection (5), page 2, line 17 of the blue bill by inserting before the word "SUCH" the following material "Except as provided in subsection (6),"; further amend Section 1, Subsection (6), page 3, line 1 of the blue bill by adding after the words "secretary of state" the following "90 days prior to the date of the general election"; Senator Northey seconded it.

Senator Mathers made a motion for the bill to BE CONCURRED IN AS AMENDED. Rosell seconded the motion. Senator Shea voted against the motion.

SR 13

Although no action was taken upon this resolution, a witness was present to testify. McDonald suggested that the resolution be rescheduled for Friday's meeting.

ANNOUNCEMENTS

Chairman McDonald informed the committee members that HJR 20, SR 13, HB 479, and HB 5 will be considered at this Friday's meeting.

ADJOURNMENT

There being no further business, Chairman McDonald adjourned the meeting at 10:45 a.m.

M. McDonald

Senator McDonald, Chairman

SENATE COMMITTEE CONSTITUTION, ELECTIONS AND FEDERAL RELATIONS

Date February 21, 1973 Bill No. HB 491 Time 9:40 a.m.

NAME	YES	NO
McDONALD, JACK (Chairman)	X	
SHEA, J. (Vice-Chairman)		X
GRAHAM, C.	X	
GROFF, B.	X	
MATHERS, W.	X	
MOORE, J.	X	
NORTHEY, H.	X	
ROSELL, A.	X	
ZODY, A. A.	X	

MARCENE MARSH
Secretary

SENATOR McDONALD
Chairman

Motion: Senator Mathers made a motion for the bill to BE CONCURRED IN AS AMENDED. Rosell seconded the motion.

(Please leave prepared statement with Secretary)

lish a prima facie presumption of absense of public convenience and necessity. If, after notice and hearing, the carrier is unable to prove the existence of public convenience and necessity or existing demand for the transportation service, the commission is authorized to cancel such certificate of public convenience and necessity.

Section 2. This act is effective on its passage and approval.

Approved: March 8, 1973.

CHAPTER NO. 237

An Act to Amend Section 23-3318, R.C.M. 1947, Changing the Timing for the Filing of Certificates of Nomination.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 23-3318, R.C.M. 1947, is amended to read as follows:

"23-3318. **Certificates of nomination by individuals or parties not appearing on prior ballot—requisites—applicability.** Except as provided in subsection (6) of this section, nominations for public office by an individual or a political party which did not appear on the ballot in the next preceding *general* election may be made by executing a certificate of nomination.

(1) The certificate must be in writing and contain:

(a) The name of a candidate for the office to be filled;

(b) His residence, his occupation, and his business address.

(2) If a certificate is filed by a political party which did not appear on the ballot in the next preceding *general* election, it must contain the party name and in five (5) words or less the principle which such body represents.

(3) The certificate must be signed by electors residing within the state and district, or political division in which the officer or officers are to be elected. Each elector signing a certificate shall add to his signature his place of residence, and his business address.

(4) The number of signatures must be five per cent (5%) or more of the total vote cast for the successful candidate for the same office at the next preceding *general* election.

(5) *Except as provided in subsection (6), such certificates shall be filed on or before the filing deadline for the primary election as established by law.* Certificates of nomination of candidates for municipal offices must be filed with the clerks of the respective municipal corporations not more than thirty (30) days and not less than fifteen (15) days previous to the day of election.

(6) A person who desires to run for president or vice-president as an independent candidate, must file a certificate of nomination with the secretary of state *90 days prior to the date of the general election.* The certificate must have the signatures of electors equal to five per cent (5%) or more of the legal votes cast for governor at the next preceding general election. He must also nominate the required number of electors allowable to Montana and certify the names to the secretary of state.

(7) This section shall not apply to nominations for special elections or to fill vacancies."

Approved: March 8, 1973.

CHAPTER NO. 238

An Act Requiring the Office of the Governor to Review the Executive Branch of State Government and Report to the Legislature.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. There is a new section to be numbered 82-1315, R.C.M. 1947, which reads as follows:

82-1315. **Review of executive branch—report to legislature.** (1) The office of the governor shall continuously study, and evaluate the organizational structure, management practices, and functions of the executive branch and of each agency and the governor shall, by executive order or other means within the authority granted to him, take action to improve the manageability of the executive branch.

(2) The governor shall submit a report to each regular legislative session concerning the duties of his office under subsection (1) of this section and his recommendations, if any, for the transfer of functions between agencies, the elimination of unnecessary functions, or other recommendations to improve the manageability of the executive branch.

Section 2. This act shall expire after June 30, 1975.

Approved: March 9, 1973.